

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 12, 2004

Signature: 

(Wendy A. Balabon)

Docket No.: 65858-0027/02-ASD-364  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Joseph J. Spryshak et al.

Application No.: 10/715,732

Confirmation No.: 4389

Filed: November 18, 2003

Art Unit: 2612

For: O-RING CAMERA LENS ATTACHMENT  
FOR HIGH PRECISION AXIAL ALIGNMENT,  
ADJUSTABLE FOCAL LENGTH, AND  
PERMANENT POSITION

Examiner: Not Yet Assigned

**PETITION**

**PURSUANT TO 37 CFR 1.47 INVOLVING THE UNAVAILABILITY  
OF A CO-INVENTOR TO EXECUTE THE POWER OF ATTORNEY**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.47, counsel for the inventors makes the above-identified Petition according to the following facts:

1. The Patent Office has issued a "Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted, on February 18, 2004.
2. As of today's date, all of the necessary Power of Attorney documents have been executed by inventor Kevin S. Jump, but not by inventor Joseph J. Spryshak.
3. As of today's date, all remaining issues raised in the Notice to File Missing Parts have been addressed.
4. At the time that the patent application was filed, Eaton Corporation employed Joseph J. Spryshak. Joseph J. Spryshak ceased his employment with Eaton Corporation.
5. On March 8, 2004, a letter was sent to Mr. Roger Johnston at Eaton requesting that formal papers be forwarded to the inventors for execution. A copy of the letter as well as a

copy of the Combined Declaration and Power of Attorney form as prepared is attached as *Exhibit A*.

6. On April 6<sup>th</sup>, an email was forwarded to Teresa Bonsall at Eaton requesting assistance in obtaining the signed documents from the inventors. *See Exhibit B*.

7. On April 7<sup>th</sup> a response was received from Ms. Lorelei Dingethal notifying us that the inventors were no longer employed by Eaton and providing the home address for each inventor. *See Exhibit C*.

8. On April 8<sup>th</sup>, a letter to inventors Spryshak and Jump was sent via federal express forwarding formal papers (the Combined Declaration and Power of Attorney and Assignment) for their execution. *See Exhibit D*.

9. To date, we have not received any response from Mr. Spryshak although tracking record for the federal express package indicated that the documents were received. *See Exhibit E*.

37 CFR 1.47(a) notes that if a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the application may be made by the other inventor on behalf of himself or herself and the non-signing inventor.

It is respectfully submitted that with the submission of Combined Declaration and Power of Attorney documents from the other inventor, Mr. Kevin S. Jump, the application for patent has been appropriately made by the other inventor. Further, in view of the facts noted above, it is respectfully submitted that diligent effort has been made to provide the non-signing inventor with the necessary documents.

Therefore, in view of the foregoing statements and accompanying exhibits, it is respectfully submitted that a proper showing has been made pursuant to 37 CFR 1.47 to address the Notice to File Missing Parts.